

United States District Court
For The District of Wyoming

Nancy D. Freudenthal, United States District Judge

Abby Logan, Courtroom Deputy
Jan Davis, Court Reporter

May 13, 2021
Cheyenne, WY

UNITED STATES OF AMERICA,
Plaintiff,
vs.

Plaintiff's Attorneys:
Christyne Martens/Nicole Romine

Case No: 20-CR-45-F

CODY DONOVAN SMITH
Defendant.

Defendant's Attorney:
Alex Freeburg/Jeremy Hugus

**COURTROOM MINUTES
JURY TRIAL DAY 4**

8:31 a.m. Court resumes. Jury brought in.

8:34 a.m. **Defense calls Kristi Lords.**

8:35 a.m. Sworn in by the Courtroom Deputy. Direct examination of Kristi Lords by Alex Freeburg for the Defense.

8:45 a.m. Cross examination by Christyne Martens for the Government.

8:46 a.m. No re-direct examination for the Defense. Kristi Lords excused from the witness stand. **Defense calls Agent Jacob Olson.**

8:47 a.m. Sworn in by the Courtroom Deputy. Direct examination of Agent Olson by Jeremy Hugus for the Defendant. Defense Exhibit EE admitted by the Court.

9:48 a.m. Cross examination of Agent Olson by Christyne Martens for the Government.

9:53 a.m. No re-direct examination by Jeremy Hugus. Agent Olson excused from the witness stand. Judge informs everyone that she wishes to take morning break at this time. Brief admonition issued to the jury.

9:54 a.m. Court recessed for morning break.

10:12 a.m. Court resumes. Jury brought in.

10:14 a.m. **Defense calls Alexandra Bontecou.**

10:15 a.m. Sworn in by the Courtroom Deputy. Direct examination of Alexandra Bontecou by Alex Freeburg for the Defense. Defense Exhibit OO, D1, D5, D10, D12, D13, D15, D17, D19, D20, D21, D28, D30, D31, D32, D36, D38, D44, D45, D46, D47, D54 admitted by the Court.

10:41 a.m. Cross examination by Christyne Martens for the Government.

10:44 a.m. Alex Bontecou excused from the witness stand. **Defense rests.**

10:45 a.m. Christyne Martens offers Exhibit 1003 as rebuttal evidence. Admitted by the Court.

10:46 a.m. Evidence closed. Judge informs the jury that she wishes to excuse them at this time to handle some other matters before the trial can continue. She explains to them what to expect when they return.

10:50 a.m. Brief admonition issued to the jury.

10:51 a.m. Jury excused. Matters discussed with counsel outside the presence of the jury.

10:55 a.m. Court recessed for counsel until the Jury Instruction Conference to be held during this time.

11:05 a.m. Court resumes without the jury. Defense renews Motion for Judgment of Acquittal regarding Count 1.

11:08 a.m. Government responds.

11:10 a.m. Rule 29 motion denied by the Court.

11:11 a.m. Judge rules on the 413 witnesses.

11:14 a.m. Jury Instruction Conference began.

11:41 a.m. Jury Instruction Conference concluded.

1:11 p.m. Court resumes. Jury brought in.

1:13 p.m. Judge reads the evidentiary instructions to the jury.

1:35 p.m. Closing argument by Christyne Martens for the Government.

1:54 p.m. Closing argument by Jeremy Hugus for the Defense.

2:34 p.m. Rebuttal closing argument by Christyne Martens for the Government.

2:45 p.m. Further instructions read to the jury by the Judge.

2:56 p.m. Alternate jurors excused and thanked by the Judge.

2:57 p.m. Bailiff sworn in by the Courtroom Deputy.

2:58 p.m. Final instructions to the jury by the Judge.

2:59 p.m. Jury excused.

3:00 p.m. Remarks to counsel.

3:01 p.m. Court recessed until a verdict is reached in this matter.

5:31 p.m. Court resumes. Jury brought in.

5:35 p.m. The Judge asks who speaks for the jury and the foreperson identifies themselves. The Judge asks if the jury has reached a unanimous verdict and the foreperson answers affirmatively.

5:37 p.m. Verdict delivered to the Courtroom Deputy who delivered the verdict to the Judge for inspection. Judge reviews the verdict.

5:38 p.m. Judge asks the Courtroom Deputy to read the verdict into the record and such is done.
Count 1: Not Guilty
Count 2: Not Guilty

5:39 p.m. Judge asks the Courtroom Deputy to poll the jury and such is done.

5:40 p.m. The Judge addresses the jury.

5:44 p.m. Jury excused.

5:45 p.m. The Judge informs the defendant that based on the verdict, he is free to go.

5:46 p.m. Court recessed.